

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
GREAT FALLS DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

PATRICK JEDIDYA  
LAVERDURE, JR.,

Defendant.

CR 11–60–GF–BMM

ORDER

Pro se defendant Patrick Jedidya Laverdure, Jr. (“Laverdure”) moves the Court to reduce his sentence based on new caselaw. (Doc. 193 at 1). Laverdure does not explicitly state the legal basis for his motion, but because he seeks to relitigate arguments made in his previous 28 U.S.C. § 2255 motion, his motion shall be treated as a successive Section 2255 motion.

Laverdure is currently serving a 160-month sentence for aggravated sexual abuse and abusive sexual contact. (Doc. 106). His projected release date is December 7, 2022. *See* Inmate Locator, [www.bop.gov/inmateloc](http://www.bop.gov/inmateloc) (accessed Sept. 20, 2021).

Laverdure initially motioned to vacate his sentence under 28 U.S.C. § 2255 on May 25, 2016 and his motion was denied by the Ninth Circuit on May 19, 2020. (Doc. 180). On July 7, 2020, Laverdure motioned the Court for compassionate

release and was denied. (Doc. 182; Doc. 186). On January 11, 2021, Laverdure again motioned for compassionate release and was again denied. (Doc. 189; Doc. 192).

Laverdure filed the present Motion to Reduce Sentence on July 30, 2021. (Doc. 193). Laverdure argues that a recent Ninth Circuit decision—*Jones v. Ryan*, 1 F.4<sup>th</sup> 1179, 1183 (9th Cir. 2021)—may apply to arguments previously raised in his previous Section 2255 motion. (Doc. 193 at 1).

A successive Section 2255 may only be considered when it is certified by a panel of the appropriate court of appeals. 28 U.S.C. § 2255(h). A panel shall only certify a successive Section 2255 petition when it contains newly discovered evidence or a retroactive new rule of constitutional law. *Id.* Laverdure's motion has not been certified by a Ninth Circuit panel, nor does it substantively contain an argument that would compel certification.

Accordingly, **IT IS ORDERED** that Laverdure's Motion for Reduced Sentence (Doc. 193) is **DENIED**.

DATED this 23rd day of September, 2021.



---

Brian Morris, Chief District Judge  
United States District Court